

PFE/JAB: July 2024  
GJ #5

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|                                 |   |                 |
|---------------------------------|---|-----------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                 |
|                                 | ) |                 |
| <b>v.</b>                       | ) | <b>Case No.</b> |
|                                 | ) |                 |
| <b>DEARIS TYRELL WHITTAKER,</b> | ) |                 |
| <b>Defendant.</b>               | ) |                 |

**INDICTMENT**

**COUNT ONE:**  
***Possession of a Machinegun***  
**18 U.S.C. §§ 922(o)(1) and 924(a)(2)**

The Grand Jury charges that:

On or about the 16th day of May 2023, in Jefferson County, within the Northern District of Alabama, the Defendant,

**DEARIS TYRELL WHITTAKER,**

did knowingly possess a machinegun, that is, a **Glock 9-millimeter pistol** that fires more than one shot automatically by a single function of the trigger, in violation of Title 18, United States Code, Sections 922(o)(1) and 924(a)(2).

**NOTICE OF FORFEITURE**  
**18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)**

1. The allegations contained in Count One of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. Upon conviction of the offense charged in Count One of this Indictment for violation of 18 U.S.C. § 922(o), the Defendant shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in or used in the commission of the offense, including, but not limited to, a **Glock 9-millimeter pistol, serial number BBKW255, and any associated magazines and ammunition.**

A TRUE BILL

/s/ electronic signature

FOREPERSON OF THE GRAND JURY

PRIM F. ESCALONA  
United States Attorney

/s/ electronic signature

ALAN BATY  
Assistant United States Attorney